

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

ADMASSU REGASSA,

Plaintiff

v.

C. BRININGER, ET AL.,

Defendants

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CIVIL NO. 4:CV-14-1122

(Judge Brann)

ORDER

December 20, 2016

In accordance with the accompanying Memorandum, **IT IS HEREBY**

ORDERED THAT:

1. Defendants' dispositive motion is construed as solely seeking entry of summary judgment with respect to the Bivens portion of the Amended Complaint..
2. The Defendants' motion for summary judgment (Doc. 46) is **PARTIALLY GRANTED**.
3. Entry of summary judgment will be granted in favor of the individual Defendants with respect to the Bivens

portion of the amended complaint with the exception of the claims that Plaintiff was subjected to excessive force on July 8, 2016. by Defendants Brininger, Kranzel, Bubendorf, Wise, Kline, and Kulp.

4. Surviving before this Court are Plaintiff's Bivens claims that he was subjected to the use of excessive force on July 8, 2013; his related FTCA allegations of assault and battery; and the FTCA claims of negligence and assault pertaining to Regassa's placement in ambulatory restraints.
5. The parties shall conclude discovery within ninety (90) days of the date of this Order.
6. Any additional dispositive motions may be submitted within thirty (30) days of the close of discovery.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge